

ENTERED

March 22, 2021

Nathan Ochsner, Clerk

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
MCALLEN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

VS.

6.281 ACRES OF LAND, more or less, in
STARR COUNTY, TEXAS; and
RUMALDA V. GOMEZ, et al.

Defendants.

§ § § § § § § § § § § § § § § §

CIVIL ACTION NO. 7:20-cv-00011

ORDER

The Court now considers the “Opposed Motion of the United States of America to Withdraw the Motion for Order of Immediate Possession.”¹ Defendants have not filed a response and the time for doing so has passed, rendering Plaintiff’s motion unopposed by operation of this Court’s Local Rule.² In the United States’ motion, it requests to withdraw its motion for order of immediate possession³ without prejudice.⁴ In support of its request, it provides that President Biden’s January 20, 2021 proclamation ordered “a careful review of all resources appropriated or redirected to construct the southern border wall” and “the development of ‘plan for the redirection of funds concerning the southern border wall.’”⁵ It requests to withdraw its motion for immediate possession “in order for the plan to redirect funds and repurpose contracts to be developed as specified in the Presidential Proclamation.”⁶ Furthermore, counsel for Defendants

¹ Dkt. No. 92.

² LR7.4 (“Failure to respond to a motion will be taken as a representation of no opposition.”).

³ Dkt. No. 19.

⁴ Dkt. No. 92 at 1.

⁵ *Id.* at 1–2 (quoting Pres. Proc. No. 10142, 86 Fed. Reg. 7225 (Jan. 27, 2021)).

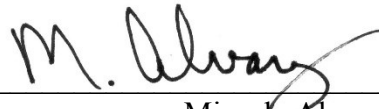
⁶ *Id.* at 2.

and all *pro se* Defendants that conferred with the United States are unopposed to the withdrawal.⁷

In light of these representation, the Court **GRANTS** the motion.⁸ Accordingly, the Court **STRIKES** the “Opposed Motion of the United States of America for Order of Immediate Possession,” Dkt. No. 19, **without prejudice** from this Court’s docket.

IT IS SO ORDERED.

DONE at McAllen, Texas, this 22nd day of March 2021.

A handwritten signature in black ink, appearing to read 'M. Alvarez', is written over a horizontal line.

Micaela Alvarez
United States District Judge

⁷ *Id.* at 2.

⁸ *Id.*